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**Attorneys for Defendant**  
**ABBOTT LABORATORIES**

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

IN RE ABBOTT LABS NORVIR	)	No. C-04-1511 CW
ANTITRUST LITIGATION	)	
	)	<b>STIPULATION BY PARTIES PROPOSING</b>
	)	<b>MODIFIED LITIGATION SCHEDULE</b>
	)	<b>AND ORDER THEREON <b>AS MODIFIED</b></b>

**RECITALS**

WHEREAS, pursuant to an earlier Stipulation of the parties dated August 14, 2006, approved by an Order of the Court dated August 22, 2006, the parties were to submit a revised proposed litigation schedule to the Court no later than August 24, 2006. The parties timely submitted a revised proposed litigation schedule, but were subsequently advised by the Court of changes that had to be made to the proposed schedule;

WHEREAS, the Court has also directed that the proposed schedule include identification of the patent claims asserted by defendant Abbott Laboratories, Inc. in defense of plaintiffs' claims for relief;

WHEREAS, defendant Abbott Laboratories, Inc. has identified the patents and claims on which it relies as follows: claims 1 to 92 of U.S. Patent No. 6,703,403; claims 1 to 18 of U.S. Patent No. 6,037,157; claims 1 to 19 of U.S. Patent No. 5,886,036; and claims 1 to 3 of U.S. Patent No. 5,674,882; and

WHEREAS, the parties have met and conferred and have agreed to the proposed litigation schedule set forth below.

**STIPULATION**

NOW, THEREFORE, it is hereby stipulated among the parties that, subject to approval by the Court, the parties have agreed to the following proposed litigation schedule:

<b>EVENT</b>	<b>DATE</b>
Plaintiffs to file Class Certification Motion	October 6, 2006
Abbott to propound written (class) discovery to plaintiffs	October 16, 2006
Settlement Conference (Magistrate Judge Larson)	November 8, 2006
Plaintiffs to provide responses to written discovery	November 10, 2006
Depositions of class representatives begin	November 17, 2006
Plaintiffs to make expert(s), if any, available for deposition on class certification issues no later than	December 15, 2006
Abbott to file Opposition to Class Certification Motion	January 16, 2007
Abbott to make expert(s), if any, available for deposition on	February 8, 2007

1	class certification issues no later than	
2	Plaintiffs to file reply to Class Certification Motion	March 16, 2007
3	Suggested hearing date for hearing on Class Certification Motion	March 30, 2007
4		
5	Case Management conference (following hearing on Class Certification Motion)	March 30, 2007
6	Fact discovery cutoff	June 1, 2007
7	Expert Disclosure: "Opening"	July 2, 2007
8	Expert Disclosure: "Rebuttal"	August 1, 2007
9	Complete depositions of experts	August 31, 2007
10	Last day to file <b>Abbott's</b> dispositive motions & Abbott's Proposed Claims Construction <b>(contained within one brief)</b>	September 10, 2007
11		
12	Opposition Brief <b>and Cross-Motion (contained within one brief)</b>	October 19, 2007
13	Reply Brief	November 2, 2007
14		
15	<b>Reply to Cross-Motion</b>	<b>November 9, 2007</b>
16	Hearing on Summary Judgment & Claims Construction	<b>November 30, 2007</b>
17	Rule 16 Conference	February 29, 2008
18	Trial	March 10, 2008

20 Dated: September 14, 2006

Respectfully submitted,

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1 Dated: September 14, 2006

Respectfully submitted,

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**Attorneys for Defendant**  
**ABBOTT LABORATORIES**

12 **ORDER**

13 IT IS SO ORDERED.

14 Dated: September 22, 2006

/s/ CLAUDIA WILKEN

16 United States District Judge